

HUSCH BLACKWELL

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March 13, 2023

BY ECF AND EMAIL

Hon. Katherine Polk Failla
United States District Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Room 2103
New York, NY 10007
Failla_NYSDChambers@nysd.uscourts.gov

MEMO ENDORSED

Re: Dental Recycling North America, Inc., v. Stoma Ventures, Inc.,
Case No. 1:21-cv-09147-KPF

Dear Judge Failla:

Pursuant to Rule 9.C.i of Your Honor's Individual Rules of Practice in Civil Cases, Defendant Stoma Ventures, LLC ("Stoma") respectfully seeks leave to file a sealed version of the redacted exhibit submitted by Plaintiff Dental Recycling North America, Inc. ("DRNA") in connection with DRNA's letter motion submitted March 8, 2023. *See* Dkt. 41-1.

The portions of Stoma's discovery responses on pages 7 and 8 that were designated "Highly Confidential – Attorney's Eyes Only" contain Stoma's sensitive business information concerning total, nationwide revenue earned from the Capt-all products at issue in this case and pricing details pertaining to product samples. These categories reflect Stoma's proprietary information. While the Court's Individual Rules permit redaction of this type of information without prior Court approval, *see* Rule 9.A, the information is relevant to the discovery dispute currently before the Court. Accordingly, Stoma requests leave to file under seal an unredacted version of its discovery responses for the Court's review and consideration in connection with DRNA's letter motion. *See* Dkt. 41.

Additionally, certain redactions applied by Plaintiff to the portion of Stoma's response that was not designated "Highly Confidential – Attorney's Eyes Only" (i.e., the redactions in the first full paragraph on page 8), such information does not need to be sealed. Therefore, Stoma is providing a revised redacted version of Stoma's discovery responses that is narrowly tailored to safeguard only Stoma's proprietary information.

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Accordingly, to protect Stoma's confidential and sensitive business information, Stoma respectfully requests permission from the Court to file the unredacted version of Stoma's discovery responses under seal.

Respectfully,

HUSCH BLACKWELL LLP

A handwritten signature in blue ink, appearing to read "Michael R. Annis".

Michael R. Annis

Application GRANTED.

Dated: March 13, 2023
New York, New York

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE